

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ULYSSES RODRIGUEZ CHARLES,

Plaintiff

v.

CITY OF BOSTON; JOHN MULLIGAN, in his
individual capacity; WILLIAM KEOUGH, in his
individual capacity; PAUL RUFO, in his individual
capacity; KATHLEEN HANLEY JOHNSON , in her
individual capacity; STANLEY BOGDAN, in his
individual capacity; JOHN DOE and JANE DOE,
supervisors in the Boston Police Department , in their
individual capacity; CHARLES CAMPO, in his
individual capacity; JOHN ZANINI, in his individual
capacity; SUFFOLK COUNTY; and Suffolk county
district attorney's office,

Defendants.

CA No. 04-10986 NG

MOTION FOR ENTRY OF DEFAULT

Plaintiff Ulysses Rodriguez Charles hereby respectfully moves this Court to enter a default against Defendant Stanley Bogdan pursuant to Rule 55 of the Federal Rules of Civil Procedure. As grounds for this motion, Mr. Charles state as follows:

1. On May 17, 2004, Mr. Charles served the complaint in this action on Mr. Bogdan.
2. Mr. Bogdan moved to dismiss the complaint on October 15, 2004.
3. Ruling from the bench, the Court denied Mr. Bogdan's motion to dismiss on January 20, 2005.

4. Pursuant to F.R.C.P. 12(a)(4)(A), Mr. Bogdan had ten (10) days, from the date of the Court's ruling, to answer the complaint. It has been over one month since this Court denied Mr. Bogdan's motion, and he has neither filed nor served an answer.

5. The affidavit of Mayeti Gametchu, Mr. Charles's counsel, attesting to the facts contained herein, accompanies this motion.

WHEREFORE, Mr. Charles respectfully requests that the Court grant the relief requested herein and enter a default against Mr. Bogdan.

Dated: March 2, 2005

Respectfully Submitted,

/s/ Mayeti Gametchu

Kevin J. O'Connor (BBO# 555250)

oconnor@paragonlaw.com

Mayeti Gametchu (BBO# 647787)

gametchu@paragonlaw.com

PARAGON LAW GROUP, LLP

184 High Street

Boston, MA 02110

(617) 399-7950

Attorneys for Plaintiff

ULYSSES RODRIGUEZ CHARLES

CERTIFICATE OF SERVICE

I, Mayeti Gametchu, hereby certify that, on March 2, 2005, I caused a true and correct copy of the foregoing document to be served by first class mail upon counsel for Defendant Bogdan, Amy E. Ambarik, Assistant Corporation Counsel, City of Boston Law Dept., City Hall, 615, Boston, MA 02201.

/s/ Mayeti Gametchu

0038-002-101410